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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

CORY HAZDOVAC, individually and on
behalf of all others similarly situated,

Plaintiff,

vs.

MERCEDES BENZ USA, LLC, and DOES
MBUSA 1 through 10, inclusive,

Defendants.

Case No. 20-cv-00377-RS

CLASS ACTION

**FURTHER STIPULATION TO EXTEND
TIME FOR PLAINTIFF TO FILE FIRST
AMENDED COMPLAINT AND
ORDER SETTING BRIEFING
SCHEDULE FOR MOTION TO
DISMISS AS MODIFIED BY THE
COURT**

STIPULATION

Pursuant to Local Rule 6-1(a), Plaintiff Cory Hazdovac (“Plaintiff”) and Defendant Mercedes-Benz USA, LLC (“MBUSA”) (Plaintiff and Defendant are collectively referred to herein as “the Parties”) hereby stipulate to further extend the time for Plaintiff to file an amended complaint to June 1, 2020, and modify the case schedule as follows:

WHEREAS, on February 24, 2020, the Clerk continued the Parties’ Initial Case Management Conference to May 21, 2020 (ECF No. 14);

WHEREAS, pursuant to a stipulation between the Parties filed on March 11, 2020 (ECF No. 15), the Court entered an Order (ECF No. 16) setting a deadline for Plaintiff to file an amended complaint and a briefing schedule on MBUSA’s response to the amended complaint as follows: (1) Plaintiff’s deadline to file an amended complaint is March 31, 2020; (2) MBUSA’s deadline to respond to the amended complaint is April 28, 2020; (3) Plaintiff’s deadline to oppose any motion to dismiss is May 29, 2020; and, (4) MBUSA’s deadline to file a reply in support of any motion to dismiss is June 12, 2020; and also vacated the April 23, 2020 hearing on MBUSA’s motion to dismiss the original complaint;

WHEREAS, due to disruptions to the Parties’ business operations from the Coronavirus Disease 2019 (“COVID-19”), the Parties filed a stipulation on March 27, 2020 (ECF No. 17) and, pursuant to said stipulation, the Court entered an Order (ECF No. 18) setting a deadline for Plaintiff to file an amended complaint and a briefing schedule on MBUSA’s response to the amended complaint as follows: (1) Plaintiff’s deadline to file an amended complaint is May 15, 2020; (2) MBUSA’s deadline to respond to the amended complaint is June 12, 2020; (3) Plaintiff’s deadline to oppose any motion to dismiss is July 13, 2020; and, (4) MBUSA’s deadline to file a reply in support of any motion to dismiss is July 27, 2020;

WHEREAS, since issuance of the Court’s Order (ECF No. 18), shelter-in-place orders have been extended and conditions from COVID-19 have continued to cause disruptions to the Parties’ business operations;

WHEREAS, in order to give Plaintiff sufficient time to file an amended complaint, and in light of the continued disruption to the Parties’ business operations which has been caused by

COVID-19, the Parties have met and conferred and agree to extend Plaintiff's deadline to file an amended complaint by thirty-one (31) days from May 15, 2020 to June 15, 2020, and to extend all dates in conjunction with MBUSA's response;

WHEREAS, in conjunction with the Parties' request to alter the amendment and motion to dismiss briefing schedule, the Parties also respectfully request that the Initial Case Management Conference currently scheduled for May 21, 2020 be continued to a date and time convenient to the Court, but no sooner than the noticed hearing date for MBUSA's anticipated motion to dismiss;

WHEREAS, the Parties' requested modification of the amendment and motion to dismiss briefing schedule will not alter any other dates or deadlines set by the Court;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

(1) Pursuant to Local Rule 6-1(a), Plaintiff's deadline to file an amended complaint is extended to June 15, 2020; (2) MBUSA's deadline to respond to the amended complaint shall be July 13, 2020; (3) Plaintiff's deadline to oppose any motion to dismiss shall be August 10, 2020; (4) MBUSA's deadline to file a reply in support of any motion to dismiss shall be August 24, 2020; (4) the May 21, 2020 Initial Case Management Conference be continued to a date and time convenient to the Court, but no sooner than the noticed hearing date for MBUSA's anticipated motion to dismiss; and (5) MBUSA shall notice its motion to dismiss the amended complaint for the first available hearing date in compliance with any applicable Federal, Local, and Court Rules.

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1 Dated: May 4, 2020

POMERANTZ LLP
THE LAW OFFICE OF ROBERT L. STARR

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3 By: /s/ Ari Y. Basser

4 Ari Y. Basser
5 Jordan L. Lurie
6 Robert L. Starr

7 *Attorneys for Plaintiff Cory Hazdovac*

8 Dated: May 4, 2020

Squire Patton Boggs (US) LLP

9
10 By: /s/ Eric J. Knapp

Eric J. Knapp

11 *Attorneys for Defendant MBUSA*
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15 **ECF CERTIFICATION**

16 Pursuant to Civil Local Rule 5-1(i)(3) and General Order No. 45, I, Ari Y. Basser, attest
17 that I obtained concurrence in the filing of this document from the above Signatories.
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19 Dated: May 4, 2020

POMERANTZ LLP

20 By: s/ Ari Y. Basser

21 Ari Y. Basser
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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED: (1) Plaintiff's deadline to file an amended complaint is extended to June 15, 2020; (2) MBUSA's deadline to respond to the amended complaint shall be July 13, 2020; (3) Plaintiff's deadline to oppose any motion to dismiss shall be August 10, 2020; (4) MBUSA's deadline to file a reply in support of any motion to dismiss shall be August 24, 2020; (4) the May 21, 2020 Initial Case Management Conference is continued to September 24, 2020 at 10:00 AM, Courtroom #3, 17th Floor, San Francisco; (5) MBUSA shall notice its motion to dismiss the amended complaint for the first available hearing date in compliance with any applicable Federal, Local, and Court Rules.

Dated: May 7, 2020


United States District Court Judge